

REMARKS

This Application has been carefully reviewed in light of the Official Action issued June 25, 2008. Claims 1-18 are pending in this Application. In order to advance prosecution of this Application, Claims 1, 3, 5-7, 9, 10, and 12 have been amended and Claim 19 has been added. Applicants respectfully request reconsideration and favorable action in this Application.

The drawings stand objected to for being of insufficient quality to permit examination. Attached herewith are Replacement Sheets of drawings in compliance with 37 C.F.R. §1.121(d) as requested by the Examiner.

Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of U.S. Patent No. 7,162,427 issued to Myrick, et al. in view of U.S. Patent No. 7,290,275 issued to Baudoin, et al. Attached herewith is a Terminal Disclaimer to overcome this rejection.

Claims 1-11 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 1 has been amended to show that the method steps are performed by a computer. Thus, the method steps are tied to another statutory class as being performed by a computer. Therefore, Claims 1-11 are in accordance with 35 U.S.C. §101.

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,442,557 issued to Buteau, et al. in view of U.S. Patent No. 7,290,275 issued to Baudoin, et al. Independent Claims 1 and 18 recite in general an ability to determine by the computer information technology requirements for the business in response to the existing information technology and the relationship among the manageable entities and generate by the computer a plan for implementation and deployment of future information technology

among the manageable entities based on the determined information technology requirements for display by the computer within the graphical representation of the overall architecture. By contrast, the Buteau, et al. patent merely discloses providing for the representation of an enterprise architecture to support strategic decision-making by engineers concerning future technology investment. The Buteau, et al. patent provides no capability for a computer to determine information technology requirements for the business in response to the existing information technology and the relationship among the manageable entities. The Buteau, et al. patent merely provides a representation of an existing enterprise architecture and allows a user to make changes and show how the changes affect the enterprise architecture. The Buteau, et al. patent does generate any plan for implementation and deployment of future information technology among the manageable entities based on the determined information technology requirements as it does not determine information technology requirements and can only adjust its existing enterprise architecture based on user input. The Baudooin, et al. patent is only cited for its security architecture disclosure and has no capability to perform the capabilities provided by the claimed invention. therefore, Applicant respectfully submits that Claims 1-18 are patentably distinct from the proposed Buteau, et al. - Baudooin, et al. combination.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees and credit any overpayments associated with this Application to Deposit Account No. 05-0765 of Electronic Data Systems Corporation.

Respectfully submitted,  
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